

6/22/2012

AN ACT

relating to the powers and duties of the State Preservation Board.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsection (a), Section 443.0071, Government Code, is amended to read as follows:

(a) A proposal to construct a building, monument, or other improvement in the Capitol complex must be submitted to the board for its review and comment at the earliest planning stages of any such project [~~before contracts for the construction are executed~~].

SECTION 2. Subsection (a), Section 443.010, Government Code, is amended to read as follows:

(a) The board and the employees of the board shall develop plans and programs to solicit, and may solicit, gifts, money, and items of value from private persons, foundations, or organizations. Property provided by those entities and money donated to the board become the property of the state and are under the control of the board. The board shall use gifts of money made to the board for the purpose specified by the grantor, if any. To the extent practicable, the board shall use gifts of property made to the board for the purpose specified by the grantor. The board may refuse a gift if in the board's judgment the purpose specified by the grantor conflicts with the goal of preserving the historic character of the buildings under the board's control.

SECTION 3. Section 443.0103, Government Code, is amended by

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1 adding Subsection (e) to read as follows:

2 (e) The board may transfer money from the capital renewal  
 3 trust fund to any account of the Capitol fund, provided that money  
 4 transferred shall only be used for the purposes outlined in  
 5 Subsection (b).

6 SECTION 4. Subsection (a), Section 443.019, Government  
 7 Code, is amended to read as follows:

8 (a) The board may require and collect a standardized deposit  
 9 from a person or entity that uses the Capitol or the grounds of the  
 10 Capitol for an event, exhibit, or other scheduled activity. The  
 11 deposit is in an amount set by the board designed to recover the  
 12 estimated direct and indirect costs to the state of the event,  
 13 exhibit, or activity. The board shall set the amounts of deposits  
 14 required under this section in a uniform and nondiscriminatory  
 15 manner for similar events, exhibits, or other scheduled activities.  
 16 The board may deduct from the deposit:

17 (1) the cost of damage to the Capitol or grounds of the  
 18 Capitol that directly results from the event, exhibit, or other  
 19 activity;

20 (2) the costs of [~~extra~~] labor, materials, and  
 21 utilities directly or indirectly attributable to the event,  
 22 exhibit, or other activity; and

23 (3) the costs of [~~extra~~] security requested by the  
 24 person or entity for the event, exhibit, or other activity.

25 SECTION 5. Chapter 443, Government Code, is amended by  
 26 adding Section 443.030 to read as follows:

27 Sec. 443.030. SUPPORT ORGANIZATIONS. The board may

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1 establish, maintain, and participate in the operation of one or  
2 more organizations of persons whose purpose is to raise funds for or  
3 provide services or other benefits to the board. Such an  
4 organization may be incorporated as a Texas nonprofit corporation.

5 SECTION 6. Subsection (e), Section 443.0101, Government  
6 Code, is repealed.

7 SECTION 7. This Act takes effect immediately if it receives  
8 a vote of two-thirds of all the members elected to each house, as  
9 provided by Section 39, Article III, Texas Constitution. If this  
10 Act does not receive the vote necessary for immediate effect, this  
11 Act takes effect September 1, 2011.

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wall

S.B. No. 1338

David Newhurst

President of the Senate

Joe Straus

Speaker of the House

I hereby certify that S.B. No. 1338 passed the Senate on April 14, 2011, by the following vote: Yeas 31, Nays 0; May 24, 2011, Senate refused to concur in House amendment and requested appointment of Conference Committee; May 25, 2011, House granted request of the Senate; May 28, 2011, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0.

Datsy Spaw

Secretary of the Senate

I hereby certify that S.B. No. 1338 passed the House, with amendment, on May 17, 2011, by the following vote: Yeas 144, Nays 1, one present not voting; May 25, 2011, House granted request of the Senate for appointment of Conference Committee; May 28, 2011, House adopted Conference Committee Report by the following vote: Yeas 147, Nays 0, two present not voting.

Robert Haney

Chief Clerk of the House

Approved:

17 JUN '11

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
4pm O'CLOCK

JUN 17 2011

Boyd R. Davis

Secretary of State